

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL BACTERIOCINS, TRANSPORT AND VECTOR SYSTEM AND METHOD OF USE THEREOF, the specification of which

☐ is attached hereto.

☒ was filed on September 5, 1997 as Application Serial No. \_\_\_\_\_.

☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and as amended under  
PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Roger S. Borovoy, Reg. No. 20,193, Reginald J. Suyat, Reg. No. 28,172, William J. Egan, III, Reg. No. 28,411, Grant D. Green, Reg. No. 31,259, Bao Q. Tran, Reg. No. 37,955, Wayne P. Sobon, Reg. No. 32,438, David J. Goren, Reg. No. 34,609, Hans R. Troesch, Reg. No. 36,950, Edouard A. Garcia, Reg. No. 38,461, Mark D. Kirkland, Reg. No. 40,048.

Address all telephone calls to Grant D. Green at telephone number 415/322-5070.

Address all correspondence to Grant D. Green, Fish & Richardson P.C., 2200 Sand Hill Road, Suite 100, Menlo Park, CA 94025.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Michael E. STILES

Inventor's Signature: Michael E. Stiles Date: 8 October 1997

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 5819-142 Street, Edmonton, Alberta T6H 4G3, CANADA

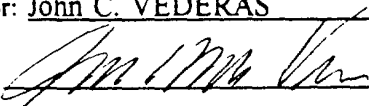
11623-33 Avenue T6J 3G9

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COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Full Name of Inventor: John C. VEDERAS

Inventor's Signature: 

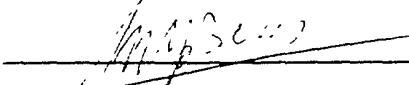
Date: OCTOBER 3, 1997

Residence Address: Edmonton, Alberta, CANADA

Citizen of: USA

Post Office Address: 9247 96 Street, Edmonton, Alberta T6C 3Y5, CANADA

Full Name of Inventor: Marius J. VAN BELKUM

Inventor's Signature: 

Date: October 3, 1997

Residence Address: Zuidwolde, THE NETHERLANDS

Citizen of: THE NETHERLANDS

Post Office Address: De Vennen 12, 7921 HT Zuidwolde, THE NETHERLANDS

Full Name of Inventor: Randy W. WOROBO

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

Full Name of Inventor: Rodney J. WOROBO

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

**COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED**

Full Name of Inventor: John C. VEDERAS

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Edmonton, Alberta, CANADA

Citizen of: USA

Post Office Address: 9247 96 Street, Edmonton, Alberta T6C 3Y5, CANADA

Full Name of Inventor: Marius J. VAN BELKUM

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Zuidwolde, THE NETHERLANDS

Citizen of: THE NETHERLANDS

Post Office Address: De Vennen 12, 7921 HT Zuidwolde, THE NETHERLANDS

Full Name of Inventor: Randy W. WOROBO

Inventor's Signature: Randy W. Worobo Date: Oct 23, 1997

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

Full Name of Inventor: Rodney J. WOROBO

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

**COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED**

Full Name of Inventor: John C. VEDERAS

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Edmonton, Alberta, CANADA

Citizen of: USA

Post Office Address: 9247 96 Street, Edmonton, Alberta T6C 3Y5, CANADA

Full Name of Inventor: Marius J. VAN BELKUM

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Zuidwolde, THE NETHERLANDS

Citizen of: THE NETHERLANDS

Post Office Address: De Vennen 12, 7921 HT Zuidwolde, THE NETHERLANDS

Full Name of Inventor: Randy W. WOROBO

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

Full Name of Inventor: Rodney J. WOROBO

Inventor's Signature: Rodney W. Woro Date: Oct 30 / 97

Residence Address: Consort, Alberta, CANADA

Citizen of: CANADA

Post Office Address: Box 247, Consort, Alberta T0C 1B0, CANADA

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Full Name of Inventor: John K. McCORMICK

Inventor's Signature: *John K. McCormick* Date: 22 Oct 1994

Residence Address: Nepean, Ontario, CANADA

Citizen of: CANADA

Post Office Address: 34 Evergreen Drive, Nepean, Ontario K2H 6C8, CANADA

Full Name of Inventor: Gordon G. GREER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Lacombe, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 5316 51 Avenue, Lacombe, Alberta T4L 1J6, CANADA

Full Name of Inventor: Lynn M. McMULLEN

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 10528 75 Avenue, Edmonton, Alberta T6E 1J4, CANADA

Full Name of Inventor: Jorgen J. LEISNER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Selangor D.E., MALAYSIA

Citizen of: DENMARK

Post Office Address: 210, Blok 4, Pangsapuri, PKNS, Jalan 7/1 43300 Seri, Kembangan, Selangor D.E.,  
MALAYSIA

COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Full Name of Inventor: John K. McCORMICK

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Nepean, Ontario, CANADA

Citizen of: CANADA

Post Office Address: 34 Evergreen Drive, Nepean, Ontario K2H 6C8, CANADA

Full Name of Inventor: Gordon G. GREER

Inventor's Signature: Gordon Greer Date: November 18/97

Residence Address: Lacombe, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 5316 51 Avenue, Lacombe, Alberta T4L 1J6, CANADA

Full Name of Inventor: Lynn M. McMULLEN

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 10528 75 Avenue, Edmonton, Alberta T6E 1J4, CANADA

Full Name of Inventor: Jorgen J. LEISNER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Selangor D.E., MALAYSIA

Citizen of: DENMARK

Post Office Address: 210, Blok 4, Pangsapuri, PKNS, Jalan 7/1 43300 Seri, Kembangan, Selangor D.E., MALAYSIA

**COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED**

Full Name of Inventor: John K. McCORMICK

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Nepean, Ontario, CANADA

Citizen of: CANADA

Post Office Address: 34 Evergreen Drive, Nepean, Ontario K2H 6C8, CANADA

Full Name of Inventor: Gordon G. GREER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Lacombe, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 5316 51 Avenue, Lacombe, Alberta T4L 1J6, CANADA

Full Name of Inventor: Lynn M. McMULLEN

Inventor's Signature: Lynn M. McMullen Date: October 3, 1997

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 10528 75 Avenue, Edmonton, Alberta T6E 1J4, CANADA

Full Name of Inventor: Jorgen J. LEISNER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Selangor D.E., MALAYSIA

Citizen of: DENMARK

Post Office Address: 210, Blok 4, Pangsapuri, PKNS, Jalan 7/1 43300 Seri, Kembangan, Selangor D.E., MALAYSIA

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Nepean, Ontario, CANADA

Citizen of: CANADA

Post Office Address: 34 Evergreen Drive, Nepean, Ontario K2H 6C8, CANADA

Full Name of Inventor: Gordon G. GREER

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Lacombe, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 5316 51 Avenue, Lacombe, Alberta T4L 1J6, CANADA

Full Name of Inventor: Lynn M. McMULLEN

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 10528 75 Avenue, Edmonton, Alberta T6E 1J4, CANADA

Full Name of Inventor: Jorgen J. LEISNER

Inventor's Signature: Jorgen J. Leisner Date: 18/11-1947

Residence Address: ~~Solomon Islands~~ DENMARK

Citizen of: DENMARK

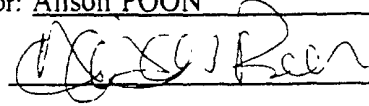
Post Office Address: ~~212 Strand 4, Rongorua, P.O. Box 74, 13300 Rongorua, Solomon I.S.~~

~~MAHARAJA~~ GULDBERGSGADE 24, IV th., 2200 COPENHAGEN N., DENMARK



COMBINED DECLARATION AND POWER OF ATTORNEY CONTINUED

Full Name of Inventor: Alison POON

Inventor's Signature: 


Date: Nov. 19/97

Residence Address: Edmonton, Alberta, CANADA

Citizen of: CANADA

Post Office Address: 10908 40th Avenue, Edmonton, Alberta T6J 0P8, CANADA

Full Name of Inventor: Charles M.A.P. FRANZ

Inventor's Signature: 

Date: 8 October 1997

Residence Address: Karlruhe, GERMANY

Citizen of: THE NETHERLANDS

Post Office Address: Hofacker Street 50, Karlruhe 76139, GERMANY

7154

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stiles, et al

Serial No.: 08/924,629

Examiner: Mosher, M.

Filed : September 5, 1997

Group Art Unit: 1643

For: NOVEL BACTERIOCINS, TRANSPORT AND VECTOR SYSTEM  
AND METHOD OF USE THEREOF

REVOCATION OF POWER OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEY

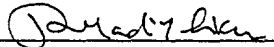
Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

CanBiocin, Inc., the exclusive licensee of the entire right, title and interest in the above application, and through the attached Power of Attorney by the Governors of the University of Alberta, the Assignee of the entire right, title, and interest, hereby revokes all powers of attorney heretofore given by the Applicant and appoints William J. Bundren (Reg. No.31,712) to prosecute the above-identified application and to transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence to The Law Office of William J. Bundren, 576 Farmington Road, West, Accokeek, MD 20607-9796. All telephone calls should be directed to (301) 203-9781.

CanBiocin, Inc.

By:   
Ragupathy Madiyalakan  
President

March 24, 99  
Date

## SMALL ENTITY DECLARATION

APPLICANT OR PATENTEE Michael E. STILES et alSERIAL NO. \_\_\_\_\_ ☐ PATENT NO. \_\_\_\_\_ ATTORNEY'S  
DOCKET NO. P8114-6006☐ 1. FILED OR ISSUED \_\_\_\_\_☒ 2. SUBMITTED HEREWITH \_\_\_\_\_FOR BIOPRESERVATION OF FOODS WITH GENETICALLY MODIFIED LACTIC ACID BACTERIA PRODUCING MULTIPLE BACTERIOICINS

(Insert Title)

I (we) hereby declare that I (we) am (are) entitled to the benefit of small entity status with respect to the above-identified application or patent for purposes of paying reduced fees under 35 U.S.C. §41(a) and (b) to the U.S. Patent and Trademark Office.

☐ A. INDEPENDENT INVENTOR

I (we) qualify as (an) independent inventor(s) as defined in 37 C.F.R. §1.9(c).

☐ B. INDIVIDUAL NON-INVENTOR

I (we) would qualify as (an) independent inventor(s) as defined in 37 C.F.R. §1.9(c) if I had made the invention.

☐ C. SMALL BUSINESS CONCERN

I am ☐ THE OWNER ☐ AN OFFICIAL of the small business concern identified below and am empowered to act on behalf of the concern. The concern qualifies under 37 C.F.R. §1.9(d) and 13 C.F.R. §121.3-18. Rights under contract or law have been conveyed to and remain with the concern and are exclusive unless a checkmark is placed here ☐. All other rights belong to small entities as defined in 37 C.F.R. §1.9.

☒ D. NON-PROFIT ORGANIZATION

I am an official empowered to act on behalf of the non-profit organization identified below. The organization qualifies under 37 C.F.R. §1.9(e), subsection: ☐ (1) ☐ (2) ☐ (3) ☐ (4). Rights under contract or law have been conveyed to and remain with the organization and are exclusive unless a checkmark is placed here ☐. All other rights belong to small entities as defined in 37 C.F.R. §1.9.

I (we) acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate [37 C.F.R. §1.28(b)].

I (we) declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

A. INDEPENDENT INVENTOR(S) B. INDIVIDUAL NON-INVENTOR(S)

_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date

C. BUSINESS CONCERN D. NON-PROFIT ORGANIZATION

<u>Governors of the University of Alberta</u> Name of Concern or Organization	<u>Industry Liaison Office, 222, 8625-112 Street, Edmonton,</u> <u>Alberta, Canada, T6G 2E1</u> Address
By <u>Dr. John Barrington-Leigh</u> Name of Person Signing	<u>J. Barrington-Leigh</u> Signature
<u>Associate Director</u> Title	<u>4/9/96</u> Date

SEQUENCE LISTING

(1) GENERAL INFORMATION:

(i) APPLICANT: Stiles, Michael E.  
Verderas, John C.  
Van Belkum, Marius J.  
Worobo, Randy W.  
Worobo, Rodney J.  
McCormick, John K.  
McMullen, Lynn M.  
Leisner, Jorgen J.  
Poon, Alison  
Franz, Charles MAP

(ii) TITLE OF INVENTION: NOVEL BACTERIOCINS, TRANSPORT AND VECTOR  
SYSTEM AND METHOD OF USE THEREOF

(iii) NUMBER OF SEQUENCES: 52

(iv) CORRESPONDENCE ADDRESS:

(A) ADDRESSEE: Fish & Richardson  
(B) STREET: 2200 Sand Hill Road  
(C) CITY: Menlo Park  
(D) STATE: CA  
(E) COUNTRY: USA  
(F) ZIP: 94025

(v) COMPUTER READABLE FORM:

(A) MEDIUM TYPE: Floppy disk  
(B) COMPUTER: IBM PC compatible  
(C) OPERATING SYSTEM: PC-DOS/MS-DOS  
(D) SOFTWARE: PatentIn Release #1.0, Version #1.25

(vi) CURRENT APPLICATION DATA:

(A) APPLICATION NUMBER:  
(B) FILING DATE:  
(C) CLASSIFICATION:

(viii) ATTORNEY/AGENT INFORMATION:

(A) NAME: Green, Grant D.  
(B) REGISTRATION NUMBER: 31,259  
(C) REFERENCE/DOCKET NUMBER: 07254/051001

(ix) TELECOMMUNICATION INFORMATION:

(A) TELEPHONE: 415-233-2126  
(B) TELEFAX: 415-854-0875

(2) INFORMATION FOR SEQ ID NO:1:

(i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 184 base pairs